

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ANDREW J. OKULSKI,

Plaintiff,

v.

CARVANA, LLC, PAUL BREAUX, AND  
KATELYN GREGORY,

Defendants.

Civil Action  
No. 2:20-cv-01328-WB

**DECLARATION OF CRAIG M. FLANDERS**

I, CRAIG M. FLANDERS, an attorney duly admitted to practice law before this Court (pro hac vice) and the Courts of the State of New York, affirm the truth of the following under the penalty of perjury:

1. I am a Partner with the law firm Blank Rome LLP, attorneys for Carvana, LLC and Katelyn Gregory (collectively “Defendants”). As such, I am familiar with the facts and circumstances of this action based upon my handling of this matter.

2. I submit this Declaration in support of Defendants’ Opposition to Plaintiff’s Second Motion for Reconsideration of this Honorable Court’s August 24, 2020 Order Granting Defendants’ Motion Dismiss and For Leave to File an Amended Complaint.

3. Plaintiff bases its motion on the “new” evidence of wet-signature transaction records, which are actually registration documents obtained from the DMV. We understand that these transaction records were procured from the Pennsylvania DMV prior to Plaintiff’s filing of this motion and were equally available to Plaintiff at the time of the numerous pleadings in this matter.

4. The records procured from the DMV with respect to this vehicle that Plaintiff alleges is “new evidence” include: (i) Georgia Motor Vehicle Dealer Reassignment Supplement, from the State of Georgia Department of Motor Vehicle Safety, which was executed by Mr. Okulski; and (ii) a Georgia Department of Revenue Certificate of Nonresident Purchase of a Motor Vehicle, in which Plaintiff signed a sworn affidavit confirming that this was a purchase from a Georgia dealer to be transferred from Georgia out of state. A true and correct copy of the Georgia Department of Revenue Certificate of Nonresident Purchase of a Motor Vehicle is annexed hereto as **Exhibit A.**

5. While not relevant to the reconsideration analysis, to our knowledge, Carvana has produced and turned over all audio recordings within its possession, custody, and control to Plaintiff.

6. Plaintiff produced 1,194 pages of records in recent weeks and after filing of the April 1, 2021 Motion for Reconsideration, which were withheld for reasons which were not explained by Plaintiff or Plaintiff’s counsel.

Dated: April 29, 2021

/s/ Craig M. Flanders  
Craig M. Flanders, Esq. (*pro hac vice*)